



# St. Charles Parish

## Meeting Agenda

### Parish Council

#### Supplemental

St. Charles Parish Courthouse  
15045 Highway 18  
P.O. Box 302  
Hahnville, LA 70057  
985-783-5000  
scpcouncil@st-charles.la.us  
<http://www.stcharlesparish-la.gov>

**Council Chairman Dennis Nuss**

**Councilmembers Carolyn K. Schexnaydre, Terry Authement,  
Billy Raymond, Sr., Shelley M. Tastet, Wendy Benedetto,  
Paul J. Hogan, Larry Cochran, Marcus M. Lambert**

**Monday, July 11, 2011**

**6:00 PM**

**Council Chambers, Courthouse**

**Final**

#### SUPPLEMENTAL

#### ORDINANCES/RESOLUTIONS INTRODUCED FOR PUBLICATION/PUBLIC HEARING

**Monday, July 25, 2011, 6:00 pm, Council Chambers, Courthouse, Hahnville**

*(No items for the regular Agenda)*

**S\* 1 2011-0242 ( 7/11/2011, St. Pierre, Department of Planning & Zoning )**

An ordinance approving and authorizing the establishment of a Home Occupation for Jennifer A. Fraychineaud - "Fraychineaud Law, LLC" - a general law office - at 220 Arlington Drive, Luling.

Legislative History:

6/7/11	Department of Planning & Zoning	Received/Assigned PH	
7/7/11	Department of Planning & Zoning	Recommended Approval	Planning Commission
7/7/11	Planning Commission	Recommended Approval	Parish Council
7/11/11	Parish President	Introduced	

**S\* 6 2011-0243 ( 7/11/2011, St. Pierre, Department of Planning & Zoning )**

An ordinance approving and authorizing the establishment of a Home Occupation for Lois Johnson - "Lois Beauty Salon" - a hair salon - at 310 Plantation Road, Hahnville.

Legislative History:

6/7/11	Department of Parks and Recreation	Received/Assigned PH	
7/7/11	Department of Planning & Zoning	Recommended Approval	Planning Commission
7/7/11	Planning Commission	Recommended Approval	Parish Council
7/11/11	Parish President	Introduced	

**S\* 11 2011-0244 ( 7/11/2011, Hogan )**

An ordinance to provide for the installation of a "Stop" sign on both the north and south leg of the "Y" on Railroad Avenue at its intersection with Up the Bayou Road in Des Allemands.

Legislative History:

7/11/11

Council Member(s)

Introduced

**St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5000 to discuss the particular accommodations needed.**

**2011-0242**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PLANNING & ZONING)**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance approving and authorizing the establishment of a Home Occupation for Jennifer A. Fraychineaud – "Fraychineaud Law, LLC" – a general law office – at 220 Arlington Drive, Luling.

**WHEREAS**, the St. Charles Parish Code of Ordinances, Appendix A, Section XXII states that the Parish Council must approve a home occupation requiring any state license or permit; and,

**WHEREAS**, the proposed home occupation of Jennifer Fraychineaud, requires licensing by the Licensing State Bar Association; and,

**WHEREAS**, the St. Charles Parish Council wishes to approve the home occupation.

**NOW THEREFORE, THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the home occupation application by Jennifer A. Fraychineaud, to permit the office for "Fraychineaud Law, LLC" – a general law practice – at 220 Arlington Drive, Luling is hereby approved.

**SECTION II.** That the Department of Planning & Zoning is authorized to grant Jennifer A. Fraychineaud a home occupation permit to operate the office for the law practice at 220 Arlington Drive, Luling.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2011, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_

## **RECOMMENDATIONS AT A GLANCE**

PZHO-2011-10 requested by Jennifer A. Fraychineaud for special permission to operate the following home occupation – "Fraychineaud Law, LLC" (LLC Pending) – a general law practice. The home occupation will be at 220 Arlington Drive, Luling. Zoning District R-1A. Council District 2.

### **Planning Department Recommendation:**

Approval

### **Planning Commission Recommendation:**

Approval.

## St. Charles Parish Department of Planning & Zoning

### LAND USE REPORT CASE NUMBER: HO 2011-10

#### GENERAL APPLICATION INFORMATION

- ♦ **Name/Address of Applicant:** Jennifer, A. Fraychineaud  
220 Arlington Drive  
Luling, LA 70070
- Application Date:** 6/7/2011
- ♦ **Location of Site:**  
Same
- ♦ **Applicant's description of business:**  
There is a home office in the residence I share with Beth Schwartz and I plan on operating a general practice out of my home. Most of my work will be family law and estate planning. High traffic would not be an issue and if my volume of clients rises significantly, I will open a practice in a commercial building and close the home office.

#### SITE – SPECIFIC INFORMATION

- ♦ **Existing Land Use and Zoning:**  
Single-family residence in an R-1A zoning district.
- ♦ **Surrounding Land Uses and Zoning:**  
The property is surrounded by R-1A zoning and single-family detached houses.
- ♦ **Traffic Access and parking:**  
Site is developed with a driveway measuring approximately 28' x 24' which can accommodate as many as three passenger vehicles.

#### APPLICABLE REGULATIONS

##### Regulations for Home Occupations: Appendix A. Section XXII

##### B. Permit Process:

1. **Pre-Application Orientation:** The Planning Director, or his designated staff, shall advise citizens of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
2. **Application:** A citizen who proposes appropriate activities at a residence that is not under citation for violation of this Code may apply for a permit for a home occupation. The fee shall be two hundred dollars (\$200.00). The applicant will agree to follow operational regulations. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed activity complies with the operational regulations of this section. The operational regulations are a guideline.
4. **Public Notice and Comment:**
  - a. Once the Planning Director has determined that the proposed activity meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
  - b. A copy of the application shall be forwarded to the District Councilman and both Councilman-At-Large.
5. **Determination:** The Planning Director shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:

- a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state permit or license.
- b. Forward applications requiring state permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and recommendation and to the Parish Council for public hearing and decision.
- c. Deny the application.

C. Operational Regulations:

1. All products produced for sale must be hand manufactured or grown on the premises using only hand tools or domestic mechanical equipment. Such domestic mechanical equipment shall not exceed two (2) horsepower per piece of equipment, and the sum total of all such equipment shall not exceed six (6) horsepower. A single kiln shall not exceed eight (8) kilowatts or the equivalent in a gas-fired fixture.
2. All sales of products, including those produced or grown on the premises, and the performance of all services shall take place off the premises. However, the Planning Director may permit on-premises sales or the performance of services as a condition of a home occupation permit when it may be found that such sales or services will not produce any detrimental effects upon the surrounding neighborhood. This may include but is not limited to snowball stands, tax and legal services. The Department may impose conditions regulating the duration, scope, and size of operation.
3. There shall be no signs posted which indicate the existence of the home occupation.
4. No licensed vehicle in excess of one (1) ton (manufacturer's rating), and no more than one (1) licensed motorized vehicle, shall be utilized by any resident of the premises in connection with the home occupation. (Ord. No. 03-8-11, § 1, 8-18-03)
5. Only the residents of the premises shall be engaged in the home occupation.
6. There shall be no outdoor storage of materials or products on the premises except as otherwise permitted by the Planning Director. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
7. Home occupations, except for horticultural uses, shall be conducted only within a structure on the premises.
8. The home occupation shall not eliminate required off-street parking.
9. The home occupation shall not cause any external effect associated with the home occupation, such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential zone, or in violation of the revisions of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
10. The resident or residents engaged in the home occupation shall possess a current St. Charles Parish Occupational License and health certification from the Parish Health Unit when required. An inspection approval from the State Fire Marshal shall be required when any food preparation requiring ovens or stoves, mechanical equipment, a simple kiln, or gas-fired fixture are necessary for production.
11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit. (Ord. No. 96-7-4, 96-7-4)
12. No alcoholic beverages shall be sold or provided in connection with the operation of a home occupation. (Ord. No. 98-8-1, 8-3-98)
13. Home occupation permit holders shall provide annual evidence of valid occupational licensing as issued by the St. Charles Parish Sheriff's Office. Evidence of occupational licensing shall be provided to the Department of Planning and Zoning by March 31st of each calendar year. (Ord. No. 98-8-14, 8-17-98)

## FINDINGS

Ms. Fraychineaud submitted an application to use 220 Arlington Drive as the office for a general law practice. The request appears before the Planning and Zoning Commission because of the need for licensure by the Louisiana State Bar Association ([www.lsba.org](http://www.lsba.org)).

Site inspection revealed no apparent code violations, and no complaints or code violations are on file. The applicant has been advised that issuance of a Home Occupation permit does not negate restrictive covenants. The applicant also has been advised that the law office cannot hire employees as long as it is operated as a home occupation.

The proposed business appears to meet the general parameters of the home occupation regulations.

## DEPARTMENT RECOMMENDATIONS

### Approval.



PZHO 2011-10  
REQUESTED BY JENNIFER A. FRAYCHINEAUD  
FOR A HOME BASED LAW OFFICE

0 50 100 200 300 Feet



**2011-0243**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PLANNING & ZONING)**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance approving and authorizing the establishment of a Home Occupation for Lois Johnson – "Lois Beauty Salon" – a hair salon – at 310 Plantation Road, Hahnville.

**WHEREAS,** the St. Charles Parish Code of Ordinances, Appendix A, Section XXII states that the Parish Council must approve a home occupation requiring any state license or permit; and,

**WHEREAS,** the proposed home occupation of Lois Johnson, requires licensing by either the Louisiana Cosmetology Board or the Louisiana Barber Board; and,

**WHEREAS,** the St. Charles Parish Council wishes to approve the home occupation.

**NOW THEREFORE, THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the home occupation application by Lois Johnson, to permit "Lois Beauty Salon" – a hair salon– at 310 Plantation Road, Hahnville, is hereby approved, and;

**SECTION II.** That the Department of Planning & Zoning is authorized to grant Lois Johnson a home occupation permit to operate the beauty salon 310 Plantation Road, Hahnville.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2011, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_



## **RECOMMENDATIONS AT A GLANCE**

PZHO-2011-11 requested by Lois Johnson for special permission to operate the following home occupation – "Lois Beauty Salon" – hair designing. The home occupation will be at 310 Plantation Road, Hahnville. Zoning District R-1A. Council District 1.

### **Planning Department Recommendation:**

Approval

### **Planning Commission Recommendation:**

Approval.

# St. Charles Parish

## Department of Planning & Zoning

### LAND USE REPORT

CASE NUMBER: PZHO 2011-11

#### GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** Lois Johnson  
310 Plantation Road  
Hahnville, La 70057
- Application Date:** 6/7/2011
- ◆ **Location of Site:**  
Same
- ◆ **Applicant's description of business:**  
"Hair designing"
- ◆ **Additional description:**  
Applicant wishes to operate a beauty shop with one chair, one washbowl, and one dryer in her home. She has been advised that the location must meet the codes of the Building Official, the Fire Marshal, and the Cosmetology Board.

#### SITE – SPECIFIC INFORMATION

- ◆ **Existing Land Use:**  
Single-family residence
- ◆ **Surrounding Land Uses and Zoning:**  
The residence is surrounded by single-family detached houses. Surrounding zoning is R-1A on sides and across Plantation Road and OL in the rear.
- ◆ **Traffic Access and parking:**  
The property is developed with a 24' x 34' driveway which can accommodate as many as six passenger vehicles.

#### APPLICABLE REGULATIONS

Regulations for Home Occupations: Appendix A. Section XXII

B. Permit Process:

1. **Pre-Application Orientation:** The Planning Director, or his designated staff, shall advise citizens of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
2. **Application:** A citizen who proposes appropriate activities at a residence that is not under citation for violation of this Code may apply for a permit for a home occupation. The fee shall be two hundred dollars (\$200.00). The applicant will agree to follow operational regulations. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed activity complies with the operational regulations of this section. The operational regulations are a guideline.
4. **Public Notice and Comment:**
  - a. Once the Planning Director has determined that the proposed activity meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
  - b. A copy of the application shall be forwarded to the District Councilman and both Councilman-At-Large.
5. **Determination:** The Planning Director shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
  - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state permit or license.

- b. Forward applications requiring state permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and recommendation and to the Parish Council for public hearing and decision.
- c. Deny the application.

C. Operational Regulations:

1. All products produced for sale must be hand manufactured or grown on the premises using only hand tools or domestic mechanical equipment. Such domestic mechanical equipment shall not exceed two (2) horsepower per piece of equipment, and the sum total of all such equipment shall not exceed six (6) horsepower. A single kiln shall not exceed eight (8) kilowatts or the equivalent in a gas-fired fixture.
2. All sales of products, including those produced or grown on the premises, and the performance of all services shall take place off the premises. However, the Planning Director may permit on-premises sales or the performance of services as a condition of a home occupation permit when it may be found that such sales or services will not produce any detrimental effects upon the surrounding neighborhood. This may include but is not limited to snowball stands, tax and legal services. The Department may impose conditions regulating the duration, scope, and size of operation.
3. There shall be no signs posted which indicate the existence of the home occupation.
4. No licensed vehicle in excess of one (1) ton (manufacturer's rating), and no more than one (1) licensed motorized vehicle, shall be utilized by any resident of the premises in connection with the home occupation. (Ord. No. 03-8-11, § 1, 8-18-03)
5. Only the residents of the premises shall be engaged in the home occupation.
6. There shall be no outdoor storage of materials or products on the premises except as otherwise permitted by the Planning Director. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
7. Home occupations, except for horticultural uses, shall be conducted only within a structure on the premises.
8. The home occupation shall not eliminate required off-street parking.
9. The home occupation shall not cause any external effect associated with the home occupation, such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential zone, or in violation of the revisions of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
10. The resident or residents engaged in the home occupation shall possess a current St. Charles Parish Occupational License and health certification from the Parish Health Unit when required. An inspection approval from the State Fire Marshal shall be required when any food preparation requiring ovens or stoves, mechanical equipment, a simple kiln, or gas-fired fixture are necessary for production.
11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit. (Ord. No. 96-7-4, 96-7-4)
12. No alcoholic beverages shall be sold or provided in connection with the operation of a home occupation. (Ord. No. 98-8-1, 8-3-98)
13. Home occupation permit holders shall provide annual evidence of valid occupational licensing as issued by the St. Charles Parish Sheriff's Office. Evidence of occupational licensing shall be provided to the Department of Planning and Zoning by March 31st of each calendar year. (Ord. No. 98-8-14, 8-17-98)

## FINDINGS

The applicant completed an application for a home occupation to operate "Lois Beauty Salon" on June 7, 2011. Ms. Johnson had inquired about the permit and approval process in April and was informed that an in-home salon had to get a home occupation permit, plans approval for any plumbing, electrical, structural, or mechanical work required, Fire Marshal approval, and site inspection/approval by either the Cosmetology Board or the Barber Board. Businesses in St. Charles Parish also require a tax id and occupational license.

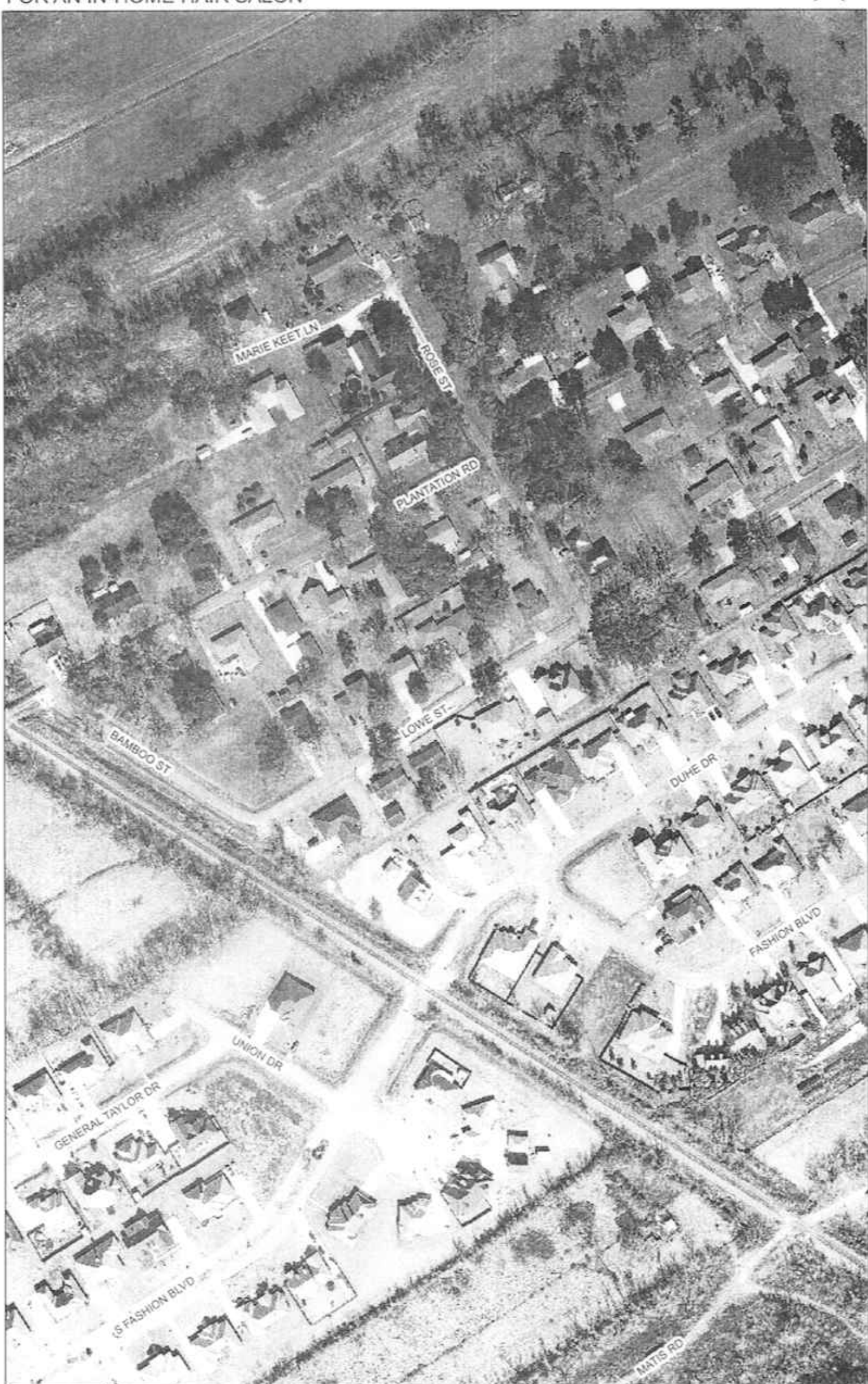
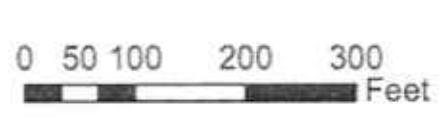
The site already is developed with a driveway measuring approximately 24' x 36' which can accommodate as many as six (6) passenger vehicles. The applicant has been advised that issuance of a Home Occupation permit does not negate restrictive covenants and that employees are limited to residents of the house.

Site inspection on June 27 revealed no apparent code violations and none are on file. The proposed business appears to meet the general parameters of the home occupation regulations.

## RECOMMENDATION

### Approval.

PZHO 2011-11  
REQUESTED BY LOIS JOHNSON  
FOR AN IN-HOME HAIR SALON





**2011-0244**

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV**  
**ORDINANCE NO. \_\_\_\_\_**

An ordinance to provide for the installation of a **"Stop"** sign on both the north and south leg of the "Y" on Railroad Avenue at its intersection with Up the Bayou Road in Des Allemands.

**WHEREAS,** the St. Charles Parish Code of Ordinances, Chapter 15 Motor Vehicles and Traffic provides for the installation of traffic control signs; and,

**WHEREAS,** it is the desire of the Parish Council to authorize the installation of a **"STOP"** sign on both the north and south leg of the "Y" on Railroad Avenue at its intersection with Up the Bayou Road in Des Allemands.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That there is hereby established a **"STOP"** sign on both the north and south leg of the "Y" on Railroad Avenue at its intersection with Up the Bayou Road in Des Allemands.

**SECTION II.** That the Department of Public Works is hereby authorized to erect and maintain said **"STOP"** signs.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2011, to become effective five (5) days after publication in the Official Journal.

Stop Sign at Railroad Avenue and Up the Bayou Road in Des Allemands

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_



